



THE LAW SOCIETY
OF NEW SOUTH WALES

The Law Society of NSW Indigenous Reconciliation Strategic Plan 2016-2019

Message from the Law Society Chief Executive Officer

The Law Society of NSW is the peak association for solicitors in New South Wales, representing 30,000 solicitors. The Society has served the legal profession and the community of New South Wales for over 125 years.

We are dedicated to working for a just and fair legal system. It is dedicated also to a community served by ethical, competent and independent legal practitioners, and to a community with reasonable and affordable access to justice.

We were privileged to have taken part in Reconciliation Australia's Reconciliation Action Plan program in 2012-2014. That journey has been an enriching and learning experience for the Law Society. We have made and maintained relationships, which has enabled the Law Society to undertake more informed work in Indigenous affairs. This is particularly so in the Law Society's advocacy for the protection and promotion of the rights of Indigenous people in NSW, and in providing opportunities for the voices of Aboriginal and Torres Strait individuals and communities to be heard by governments and other institutions.

The Law Society is committed to continuing its relationship with Reconciliation Australia in respect of deepening our reconciliation efforts, and to assist, where appropriate, with progressing the reconciliation efforts of the legal profession.

As the Law Society's engagement in the area of Indigenous affairs has developed, I am delighted to launch our Indigenous Reconciliation Strategic Plan for 2016-2019 as an integrated part of the Law Society's core business. This plan will sit alongside the Law Society's 2016-2019 Strategic Plan.

Michael Tidball
Chief Executive Officer

The Law Society of NSW is committed to the process of reconciliation and to fostering and maintaining active partnerships with Aboriginal and Torres Strait Islander Peoples. We recognise and respect the traditional custodians of the land. We also respect their traditional and ongoing relationships with Country and acknowledge their Elders, both past and present.

We recognise the diverse language groups, kinship structures and customs of the Aboriginal and Torres Strait Islander peoples in Australia. We recognise also the diversity of Aboriginal and Torres Strait Islander communities, which live both traditionally and non-traditionally in urban, rural and regional locations.

In this document, reference is made to "Aboriginal", "Aboriginal and Torres Strait Islander" and "Indigenous peoples". When referring specifically to Indigenous peoples in NSW, the term "Aboriginal" is used. However, this is not intended to exclude Torres Strait Islander people from the Law Society's initiatives.

Objective 1: Engage in effective advocacy, in order to work for better outcomes for Indigenous peoples in NSW, in and through the legal system, and in respect of developing and maintaining the Law Society’s relationships with stakeholders in Indigenous affairs.

STRATEGY	DELIVERABLES	RESPONSIBILITY	TIMELINE
<p>1.1 Maintain the Indigenous Issues Committee, including representative positions on that Committee.</p>	<p>(i) Continue to work with Indigenous and non-Indigenous stakeholders, including the Law Council of Australia, in respect of policy development and law reform work; including supporting legal education efforts in Aboriginal communities to build the capacity of those communities for effective, self-determined advocacy.</p> <p>(ii) Hold monthly committee meetings.</p> <p>(iii) Identify and pursue priority areas (such as access to justice, incarceration, housing, care and protection and violence) for proactive advocacy effort.</p> <p>(iv) Continue to make submissions and pursue law reform and policy development opportunities.</p>	<p>(i) Policy and Practice</p> <p>(ii) Policy and Practice</p> <p>(iii) Policy and Practice, Indigenous Issues Committee</p> <p>(iv) Policy and Practice, Indigenous Issues Committee</p>	<p>(i) Ongoing</p> <p>(ii) Ongoing</p> <p>(iii) Ongoing</p> <p>(iv) Ongoing</p>
<p>1.2 Host or otherwise facilitate consultations between Aboriginal communities and government and relevant legal institutions.</p>	<p>(i) Where reasonable and appropriate, provide meeting space.</p> <p>(ii) Facilitate consultation with government where it would assist with law reform and policy development.</p> <p>(iii) Consider other opportunities for facilitating consultations on a case by case basis.</p>	<p>(i) Policy and Practice, Events</p> <p>(ii) Policy and Practice, Events</p> <p>(ii) Policy and Practice</p>	<p>(i) Ongoing</p> <p>(ii) Ongoing</p> <p>(iii) Ongoing</p>
<p>1.3 Continue to engage with the legal reconciliation community.</p>	<p>(i) Participate in the Legal Professional Reconciliation Network, including the sharing of information and resources.</p>	<p>(i) Policy and Practice, Communications</p>	<p>(i) Ongoing</p>
<p>1.4 Maintain relationships with the NSW Bar Association Indigenous Barristers Working Strategy and the Ngarra Yura Committee of the Judicial Commission of NSW.</p>	<p>(i) Continue regular meetings with the policy lawyer’s counterparts.</p>	<p>(i) Policy and Practice</p>	<p>(i) Ongoing</p>
<p>1.5 Identify opportunities for providing training for solicitors who provide legal services to Aboriginal clients at a free or discounted rate.</p>	<p>(i) Continue working with the Aboriginal Legal Services NSW/ACT to identify opportunities for training, (such as the Family Law Fundamentals for Solicitors course).</p>	<p>(i) Coordinator, Professional Development and Program Designer, Professional Development</p>	<p>(i) Ongoing</p>

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STRATEGY	DELIVERABLES	RESPONSIBILITY	TIMELINE
	(ii) Provide support for practitioners, particularly Aboriginal practitioners, to address mental health and well-being and vicarious trauma via targeted seminars and the facilitation of opportunities for peer support.	(ii) Quality System Administrator, Policy and Practice, Young Lawyers. Professional Development.	(ii) Seminars twice yearly (one regional, one metropolitan; ongoing opportunities for peer support
1.6 Engage with Reconciliation Australia to discuss Reconciliation Action Plans in the legal profession.	(i) Work with Reconciliation Australia, the Law Council of Australia, the Legal Profession Reconciliation Network and legal assistance sector in relation to Reconciliation Action Plans in the legal profession.	(i) Policy and Practice	(i) Ongoing

Objective 2: Improve cultural competency and awareness within the Law Society and in the legal profession.

STRATEGY	DELIVERABLES	RESPONSIBILITY	TIMELINE
<p>2.1 Provide cultural competency and awareness training for Law Society Council, management and staff.</p>	<p>(i) Provide mandatory cultural competency and awareness training for senior management.</p> <p>(ii) Provide cultural competency and awareness training opportunities for Law Society staff.</p> <p>(iii) Provide cultural competency and awareness training for the members of the Law Society Council.</p>	<p>(i) Professional Development, Human Resources, Policy and Practice</p> <p>(ii) Professional Development, Human Resources, Policy and Practice</p> <p>(iii) Professional Development, Human Resources, Policy and Practice</p>	<p>(i) Every three years</p> <p>(ii) Annually</p> <p>(iii) Every three years</p>
<p>2.2 Provide relevant Continuing Professional Development (CPD) offerings for the legal profession.</p>	<p>(i) Provide an annual CPD event jointly with the Judicial Commission of NSW and the NSW Bar Association. The CPD sessions are to be developed in consultation with the Indigenous Issues Committee, NSW Bar Association Indigenous Barristers Strategy Working Group, Judicial Commission of NSW Ngarra Yura Committee.</p> <p>(ii) Provide at least two CPD sessions per year on issues relevant to practitioners who work with Indigenous clients, or Indigenous practitioners, or both, in consultation with the Policy and Practice Department and the Indigenous Issues Committee.</p> <p>(iii) Provide training to practitioners on conducting their practices in a trauma-informed way.</p>	<p>(i) Professional Development, Policy and Practice</p> <p>(ii) Professional Development, Policy and Practice</p> <p>(iii) Professional Development, Policy and Practice</p>	<p>(i) Annually</p> <p>(ii) Twice a year</p> <p>(iii) Annually</p>
<p>2.3 Provide resources to assist solicitors who work for Aboriginal clients, and who interact with Aboriginal witnesses.</p>	<p>(i) Develop under the direction of the Indigenous Issues Committee and in consultation with relevant Aboriginal legal organisations, resources to assist solicitors who provide legal assistance for Aboriginal clients, or who will work with Aboriginal witnesses.</p> <p>(ii) Increase awareness of the existing Law Society Pro Bono Disbursement Trust Fund.</p> <p>(iii) Create web resources specific to Indigenous legal issues and include links to other existing resources and practical tips for lawyers who undertake work for Indigenous clients.</p>	<p>(i) Policy and Practice, Indigenous Issues Committee, Communications</p> <p>(ii) Policy and Practice, Communications</p> <p>(iii) Policy and Practice, Communications</p>	<p>(i) By end 2017</p> <p>(ii) Ongoing</p> <p>(iii) Ongoing</p>

Objective 3: Create and provide opportunities for Indigenous law students; lawyers; non-lawyers working in the legal context; and, Indigenous enterprise.

STRATEGY	DELIVERABLES	RESPONSIBILITY	TIMELINE
3.1 Establish an Indigenous Solicitors' Fund to provide members with the opportunity to assist Indigenous professional development.	<p>(i) Develop a fund to allow members to make donations and to allow it to assist Indigenous students, lawyers and relevant organisations upon application.</p> <p>(ii) Assist Indigenous law students with legal studies, and Indigenous law graduates with College of Law and practical legal training costs via the Indigenous Solicitors' Fund.</p>	<p>(i) Policy and Practice Department, General Counsel and CEO.</p> <p>(ii) Policy and Practice, and Fund trustees (when established).</p>	<p>(i) Members should be able to make donations by April 2018</p> <p>(ii) Ongoing following establishment of Fund</p>
3.2 Mentoring	<p>(i) Promote and support the Young Lawyers NSW mentoring program in consultation with the Indigenous Issues Committee.</p> <p>(ii) Consider promotional strategies to target Indigenous law students in university and other legal studies programs, including developing material for Student Hub.</p> <p>(iii) Hold one networking event per year for Indigenous students and lawyers to meet members of the profession.</p>	<p>(i) NSW Young Lawyers and Graduates</p> <p>(ii) NSW Young Lawyers and Graduates</p> <p>(iii) NSW Young Lawyers and Graduates</p>	<p>(i) Ongoing</p> <p>(i) Ongoing</p> <p>(iii) Annually</p>
3.3 Improve employment prospects for Indigenous law students.	<p>(i) Continue to work with the Legal Profession Reconciliation Network to develop resources targeted at Indigenous students and lawyers, such as a targeted job board.</p> <p>(ii) Continue to liaise with Ngalaya Aboriginal Corporation.</p>	<p>(i) Policy and Practice, Communications, NSW Young Lawyers and Graduates</p> <p>(ii) Policy and Practice</p>	<p>(i) Ongoing</p> <p>(ii) Ongoing</p>
3.4 Develop the capacity of Indigenous people working, or considering working, in the legal context but not as lawyers.	(i) Continue to provide two reserved positions in the Legal Support Training Program training module for Aboriginal legal support staff.	(i) Coordinator, Professional Development and Program Designer, Professional Development	Ongoing
3.5 Update recruitment strategies to attract Indigenous applicants and train human resources staff in relation to development and retention strategies for Indigenous staff.	<p>(i) Advertise employment opportunities in the Koori Mail.</p> <p>(ii) Include wording in all job advertisements to note "Aboriginal and Torres Strait Islander applicants are encouraged to apply."</p>	<p>(i) Human Resources</p> <p>(ii) Human Resources</p>	<p>(i) Ongoing</p> <p>(ii) Ongoing</p>

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	<p>(iii) Consult with other legal organisations which may have Indigenous targeted recruitment strategies such as Legal Aid NSW and LPRN firms to determine which strategies the Law Society might adopt.</p> <p>(iv) Provide training for human resources staff in relation to the development and retention of Indigenous staff upon recruitment of Indigenous staff members.</p>	<p>(iii) Human Resources</p> <p>(iv) Human Resources</p>	<p>(iii) Ongoing</p> <p>(iv) As soon as Aboriginal and Torres Strait Islander staff members have been recruited.</p>
<p>3.6 Support Law Society membership for Indigenous lawyers in their first five years of practice.</p>	<p>(i) Waive Law Society membership fees for Indigenous solicitors in their first five years of practice if the cost of Law Society membership is not as a usual practice met by their employer.</p>	<p>(i) Registry</p>	<p>(i) Ongoing</p>
<p>3.7 Work with partners to support capacity building for Indigenous enterprise.</p>	<p>(i) Work with the NSW Indigenous Chamber of Commerce to support the Indigenous Enterprise Legal Assistance Scheme, including holding a launch event for the scheme.</p> <p>(ii) Consider expanding the scheme more widely after a year of operation.</p> <p>(iii) Review the range of Aboriginal owned and controlled businesses that supply goods and services, alongside the Law Society's procurement policies and practices to identify opportunities for procurement.</p>	<p>(i) Policy and Practice, Solicitor Referral Service, Communications</p> <p>(ii) Policy and Practice, Solicitor Referral Service</p> <p>(iii) General Counsel</p>	<p>(i) Ongoing</p> <p>(ii) Ongoing</p> <p>(iii) EOFY 2017</p>

Objective 4: Undertake effective reporting and compliance management.

STRATEGY	DELIVERABLES	RESPONSIBILITY	TIMELINE
<p>4.1 Establish a Law Society monitoring and compliance committee to oversee compliance and regular reporting.</p>	<p>(i) Report to the Law Society Executive quarterly.</p> <p>(ii) Report to the Law Society Council biannually.</p> <p>(iii) Provide an annual written report for publication on outcomes and highlighting achievements under the Indigenous Strategic Plan.</p>	<p>(i) The CEO, Director of Policy and Practice, Head of Professional Development, Head of Communications, Human Resources Manager, policy lawyer for the Indigenous Issues Committee.</p> <p>(ii) Policy and Practice, Monitoring and Compliance Committee</p> <p>(iii) Policy and Practice, Communications, Monitoring and Compliance Committee</p>	<p>(i) Quarterly</p> <p>(ii) Biannually</p> <p>(iii) Annually</p>
<p>4.2 The Indigenous Issues Committee to maintain a steering and advisory role of the Law Society's implementation of its commitments.</p>	<p>(i) Include the implementation of the Strategic Plan as a regular item on the Indigenous Issues Committee agenda.</p> <p>(ii) The Indigenous Issues Committee to be consulted to provide feedback for the preparation of the reports set out in 4.1.</p>	<p>(i) Policy Lawyer, Indigenous Issues Committee, Policy and Practice</p> <p>(ii) Policy Lawyer, Indigenous Issues Committee, Policy and Practice</p>	<p>(i) Ongoing</p> <p>(ii) Quarterly, biannually and annually</p>